UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff

-against-

THOMAS ABREU,

Defendants.

16 Cr. 64 (LAP)
ORDER

LORETTA A. PRESKA, Senior United States District Judge:

Before the Court is Defendant Thomas Abreu's pro se submission dated September 15, 2020 (Proffer of Objection, dated Sept. 15, 2020 [dkt. no. 491]). That submission lodges objections to the Court's Order, dated August 18, 2020, concluding that Mr. Abreu's state and federal sentences should run consecutively (Order, dated Aug. 18, 2020 [dkt. no. 490]) in response to an inquiry from the Bureau of Prisons about whether Mr. Abreu's state and federal sentences should run concurrently or consecutively (Letter from John O'Brien, dated July 21, 2020 [dkt. no. 490]). The Government responded to Mr. Abreu's September 15, 2020 submission by letter on October 16, 2020 (Letter from Audrey Strauss, dated Oct. 16, 2020 [dkt. no. 492].)

In his submission, Mr. Abreu recites a variety of constitutional principles and sections of the United States Code that he believes warrant the Court's alteration of its determination that his state and federal sentences should run

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consecutively. As the Government points out, however, the

statutory mechanisms available to Mr. Abreu for seeking such relief

are 18 U.S.C §3582 and 28 U.S.C §2255, which provide the procedure

and grounds for modification of a term of imprisonment. Mr.

Abreu's submission does not cite either statute or set forth a

colorable claim that the Court should amend the Judgement imposing

Mr. Abreu's term of imprisonment (Judgment, dated Mar. 3, 2017,

[dkt. no. 328]) or its determination that this sentence should run

consecutively to his state sentence.

Accordingly, Mr. Abreu's request [dkt. no. 491] to amend the

Judgment imposing his term of imprisonment is DENIED, and his

federal sentence will run consecutively to his state sentence for

the reasons set forth in the Court's August 18, 2020 Order [dkt.

no. 490].

The Clerk of the Court is respectfully directed to mail a

copy of this order to: (1) Mr. Abreu; and (2) Mr. John O'Brien of

the Bureau of Prisons Designation and Sentence Computation Center

located at U.S. Armed Forces Reserve Complex, 346 Marine Forces

Drive, Grand Prairie, Texas 75051.

SO ORDERED.

Dated:

New York, New York

December 1, 2020

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LORETTA A. PRESKA

Senior United States District Judge